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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1704 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.856 OF 2006

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Ambit Estate & Development Co. Ltd. ..Respondent.

Mr.Vimal Gupta with P.S.Sahadevan for appellant.

Mr.K.Gopal with Jitendra Singh for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 16TH OCTOBER, 2007.

P.C. :-

There is a delay of 384 days in preferring the appeal. There is affidavit in support of Mr.V. Murlidharan. The I.T.A.T. order was received 20/12/2004. The file was forwarded to the Ministry of Law on 19/4/2005. The draft appeal memo was received on 24/11/2005 and the appeal was filed on 11/5/2006. There is no explanation whatsoever for the delay between 19/4/2005 and 24/11/2005 amd thereafter from 24/11/2005 to 11/5/2006. In our opinion, the cause shown would not amount to sufficient cause. Hence Motion is dismissed.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**